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March 16, 2015

J. Paul Oetken
United States District Judge
United States District Court
Southern District of New York
United States Courthouse – Room 2101
40 Foley Square
New York, NY 10007

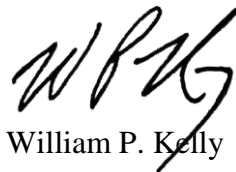
Re: Gager v Peapod, *et al.*
Docket No.: 14 Civ. 10144 (JPO)(JCF)

Dear Judge Oetken:

We are the attorneys for plaintiffs Joaquin and Diana Gager.

Further to the Court's Order, while plaintiff named Peapod LLC as a defendant, paragraph second of defendant's Answer indicates Peapod is actually an Illinois corporation. Accordingly, the Court has subject matter jurisdiction over this defendant pursuant to 28 U.S.C. Sections 1332(c) and 1446(c).

Respectfully submitted,



William P. Kelly

WPK/nk

cc: Christine Capitolo, Esq., via email and fax
Natalie Lefkowitz, Esq., via email and fax